

REMARKS

I. Status of the Application:

Claims 1-23 were pending in the application prior to this submission, claims 24-26 having been previously canceled. All of claims 1-23 were rejected in the prior Office Action.

By this Amendment, Claims 1-23 have been amended. Claims 27-32 have been added, and are now presented for consideration by the Examiner. No new matter has been introduced, and thus, entry and consideration of this Amendment are respectfully requested.

II. Response to Specification Objections:

The Examiner objected to the abstract of the disclosure because it was not located on a separate sheet of paper in the originally-filed application.

In response to this objection, Applicants have resubmitted the originally-filed abstract on a separate sheet. Applicants believe no formal issues remain regarding the abstract, and therefore respectfully request that the objection to the specification now be withdrawn.

III. Drawing Amendments:

While not indicated by the Examiner as erroneous, Applicants have amended the originally filed FIG. 1 to correct typographical errors. In particular, drawing reference numbers 34, 40, 44 and 46 were not indicating the correct features of FIG. 1, as set forth in the disclosure. FIG. 1 has been amended so that the above drawing reference numbers are linked to the correct features. No new matter has been added to FIG. 1 as a result of this corrective amendment.

IV. Response to Claim Objections:

The Examiner has objected to claims 22 and 23 due various informalities. More specifically, the Examiner has deemed that these claims, *inter alia*, contain spelling errors.

Applicants respectfully point out that “initialising” and “utilising” are British interpretations of these particular words carried over into the present disclosure from the original PCT application. These words have now been changed to the Americanized format. In addition, Applicants have corrected any spelling and/or grammatical errors discovered in the claims.

In view of the above, Applicants believe that no further formal issues exist in the claims, but invite the Examiner to indicate any errors that still exist in future correspondence. In lieu of any further discrepancies, Applicants request that the claim objections now be withdrawn.

V. Response to 35 U.S.C. §112 Rejections:

The Examiner rejected all of claims 1-23 under 35 U.S.C. §112 for failing to particularly point out and distinctly claim the present invention. Discrepancies based on various rationales were identified by the Examiner in the aforementioned pending claims.

Applicants, in general, believe that claims 1-23, as amended, now resolve any indefiniteness issues that may have existed prior to this submission. These amendments include the removal of problematic language identified by the Examiner and clarification of limitations that may have previously appeared indefinite due to the particular alternative format employed, and further correct the antecedent basis problem identified in claim 23 regarding “the calendar.”

With respect to paragraph 13 in the February 14, 2008 Office Action, Applicants respectfully assert that no further definition of the terms identified by the Examiner is necessary, as one of ordinary skill in the art would readily understand these terms in view of their usage in the disclosure and the general knowledge existing in the art at the time the invention was made.

In view of the above, Applicants believe that no formal claim issues remain, and respectfully request that the 35 U.S.C. §112 rejections to claims 1-23 now be withdrawn.

VI. Response to 35 U.S.C. §101 Rejections:

The Examiner rejected claims 3, 5, 11-15 and 20 under 35 U.S.C. §101 for being directed to non-statutory subject matter. More specifically, the Examiner asserts that these claims are directed to either a mere arrangement of data or unidentifiable subject matter.

With respect to claims 3, 5, 11 and 20, Applicants respectfully assert that these claims are directed to patentable subject matter, and request that the rejection be withdrawn. Claims 3, 5 and 11 depend from claim 1. Claim 1 discloses a system including tangible devices configured to operated in a particular matter. Claims 3, 5 and 11 further define the manner in which the devices interact within the system, and as a result, are embodied in these apparatuses. Similarly, claim 20 depends from claim 19. Claim 19 is directed to an apparatus. Claim 20 further defines the operation of the apparatus recited in claim 20, rendering claim 20 patentable.

With respect to claims 12-15, Applicants respectfully assert that these claims are directed to patentable subject matter, and request that the rejection be withdrawn. Claims 12-15, as amended, define how apparatuses in claim 1 may be configured. This configuration dictates how these apparatuses may operate in accordance with at least one embodiment of the present invention, and therefore, are tangibly embodied in a form that renders these claims patentable.

Applicants therefore respectfully assert that all of the pending claims are directed to patentable subject matter, and request that the 35 U.S.C. §101 rejection now be withdrawn.

VII. Response to 35 U.S.C. §102 Rejections:

Claims 16-18 have been rejected under 35 U.S.C. §102(e) as being anticipated by Strietzel (U.S. 2001/0051517 A1, hereafter "Strietzel"). In particular, the Examiner alleges that each and every limitation of pending claims 16-18 is anticipated by the Strietzel reference.

Strietzel is directed to an automated system for telecommunications advertising (paragraph 0001). Initially, advertisements may be selectively associates with communications in a telecommunications network (paragraph 0007). In particular, advertisements stored in an advertisement database are associated with parties in order to ensure relevance (paragraph 0033). Further, callers that receive telephonic communication such as advertisements may remain on the line after the primary advertisement is concluded in order to receive options or a menu allowing a party to select to receive additional information about a product or service, or to be directly connected to the company offering the advertised products or services (paragraph 0055).

Applicants respectfully request reconsideration of the application in view of the amendments and/or remarks now presented herein. Claims 16-18 have been amended to further clarify the claimed embodiment of the present invention. For example, claim 16 now recites:

16. (Currently Amended) A method, comprising:

initiating a promotion message via an event manager forwarding a promotion message request to a promotion server;

transmitting said promotion message associated with an event having a defined start time to one or more communication terminals via a promotion server connected to said one or more communication terminals through a first communication network;

receiving an acceptance signal from an accepting communication terminal of said one or more communication terminals via said promotion server;

associating said accepting communication terminal with said promotion message on reception of said acceptance signal from said accepting communication terminal via a register of said promotion server; and

transmitting a reminder signal for said event to said accepting communication terminal through said first communication network via said promotion server.

Applicants respectfully contend that Strietzel does not anticipate each and every limitation of claim 16, as amended. The Strietzel system is directed to a telephonic advertising scheme that the published application generally asserts may also be applied in other scenarios. However, all interaction with recipients of the advertised information in Strietzel is immediate (i.e., real time interaction while a person is on the telephone). Even if further information or a connection to a company corresponding to the advertised good and/or services is requested (e.g., paragraph 0055), all activity occurs immediately while a user is actively connected to the system. In particular, there is no ability in Strietzel for acceptance recognition with respect to a particular recipient, and automated reminders to the identified participant with respect to a particular event.

As a result, Strietzel does not teach or suggest receiving an acceptance signal from an accepting communication terminal of said one or more communication terminals via said promotion server; associating said accepting communication terminal with said promotion message on reception of said acceptance signal from said accepting communication terminal via a register of said promotion server; and transmitting a reminder signal for said event to said accepting communication terminal as recited in amended claim 16. Claims 17 and 18 depend from claim 16, and therefore, are likewise distinguishable at least in view of the above remarks.

In view of the above, Applicants respectfully request that the 35 U.S.C. §102(e) rejection to pending claims 16-18 now be withdrawn.

VIII. Response to 35 U.S.C. §103 Rejections:

Claims 1-15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Strietzel in view of Asai et al. (U.S. 7,103,678, hereafter "Asai"). Further, as best understood, claims 19-23 (identified as 1-15 in the rejection) stand rejected under 35 U.S.C. §103(a) as being unpatentable over Strietzel. In particular, the Examiner alleges that each and every limitation of claims 1-15 and 19-23 is obvious in view of Strietzel alone, or alternatively, combined with Asai.

Asai is directed to a system for distributing information that may convert data to a particular format in view of data corresponding to the addressee terminal (column 1, line 55-column 2, lines 5). Digital information may be distributed via wired/wireless communication to receiving devices. A format selecting table may store device identity information corresponding to data format information (column 5, lines 43-53). The Asai system, after identifying a device, may format the digital information in a usable format prior to delivery (column 11, lines 30-41).

Applicants respectfully request reconsideration of the application in view of the amendments and/or remarks now presented herein. Claims 1-15 and 19-23 have been amended to clarify the claimed embodiment of the present invention. For example, claim 1 now recites:

1. (Currently Amended) A system, comprising:
a promotion server for communicating a promotion message associated with an event having a defined start time to one or more communication terminals through at least one communication network in response to receiving a promotion message request from an event manager;

said promotion server further being configured for receiving an acceptance signal from the one or more communication terminals through said at least one communication network, said promotion server comprising a register for associating an accepting communication terminal of said one or more communication terminals with said promotion message, on reception of said acceptance signal from said accepting communication terminal, and said promotion server further being configured to communicate a reminder signal for said event to said accepting communication terminal through said first communication network.

Applicants respectfully assert that independent claims 1 and 19, as amended, have substantially similar limitations to claim 1 as discussed above, and therefore, are distinguishable from the Strietzel reference at least in view of the remarks made above with respect to claim 1.

Asai, as discussed above, is directed to an information distribution system that operates only to distribute information (i.e., the system only transmits information as disclosed in FIG. 6). Since Asai does not receive any reply information from the addressee terminal after the delivery of the distributed content, it cannot remedy the deficiencies identified in Strietzel above.

In view of the above, Applicants respectfully assert that claims 1 and 19 are distinguishable from the cited references, taken alone or in combination. Claims 2-15 and 20-23

depend from 1 and 19, respectively, and are likewise distinguishable. As a result, Applicants request that the 35 U.S.C. §103(a) rejection to claims 1-15 and 19-23 now be withdrawn.

IX. New Claims:

New claims 27-32 have been added and, are now presented for consideration by the Examiner. Claims 27-30 find support at least from FIG. 3 and the corresponding description in the disclosure (e.g., pages 24-25 of the specification, as-filed). Claims 31-32 likewise find support at least from pages 14-16 of the specification, as-filed. Claims 27-32 include limitations substantially similar to independent claim 1, and therefore, are believed to be distinguishable from the cited references, taken alone or in combination based on the remarks regarding claim 1.

CONCLUSION

Based on the foregoing amendments and remarks, applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 4208-4224. A DUPLICATE OF THIS PAPER IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 4208-4224. A DUPLICATE OF THIS PAPER IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

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By:



Elliot L. Frank

Registration No. 56,641

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile